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2 THE HONORABLE JAMAL N. WHITEHEAD  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 DIANE SIMKINS, decedent, by her personal  
11 representative, Kristi Simkins; KRISTI SIMKINS  
and PATRIC ROGERS; and CHRISTER  
12 PERSSON,

13 Plaintiffs,  
14 v.  
15 NEW YORK LIFE INSURANCE COMPANY;  
16 and ILLUMIFIN CORPORATION, a foreign  
profit corporation,  
17 Defendants.

No. 2:23-CV-00578 JNW

**[PROPOSED] ORDER GRANTING  
STIPULATED MOTION TO VACATE  
AND RESET TRIAL AND TO  
EXTEND DEADLINES AND AMEND  
SCHEDULING ORDER**

18 **FIRST AMENDED SCHEDULING DATES**  
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20 Having reviewed the parties' Stipulated Motion to Vacate and Reset Trial and Extend  
21 Deadlines and Amended Scheduling Order, the Court hereby GRANTS the Motion, and sets  
22 the following amended trial and related dates:

23 EVENT	DATE
24 JURY TRIAL begins	December 9, 2024
25 Length of trial	<i>See JSR</i>
26 Deadline for joining additional parties	September 12, 2023

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1 EVENT	DATE
2 Deadline for amended pleadings	May 13, 2024
3 Disclosure of expert testimony under 4 Fed.R.Civ.P. 26(a)(2)	May 13, 2024
5 Disclosure of rebuttal expert testimony under 6 Fed.R.Civ.P. 26(a)(2)	within 30 days after the other party's expert disclosure
7 All motions related to discovery must be filed by 8 (see LCR 7(d))	June 11, 2024
9 Discovery completed by	July 11, 2024
10 All dispositive motions and motions challenging 11 expert witness testimony must be filed by (see LCR 7(d))	August 12, 2024
12 Settlement conference under LCR 39.1(c)(2) if 13 requested by the parties, must be held not later than October 9, 2024	
14 All motions in limine must be filed by 15 (see LCR 7(d))	October 29, 2024
16 Deposition Designations must be submitted to 17 the Court by (see LCR 32(e))	November 18, 2024
18 Agreed pretrial order due	November 18, 2024
19 Trial briefs, proposed voir dire questions and proposed jury instructions must be filed by	November 25, 2024
20 Pretrial conference	December 2, 2024
21 The Local Civil Rules set all other dates. The dates listed in this order and set by the 22 Local Civil Rules are firm and cannot be changed by agreement between the parties. Only the 23 Court may alter these dates and it will do so only if good cause is shown. Failure to complete 24 discovery within the time allowed does not establish good cause. If any of the dates identified 25	
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1 in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event  
2 must be performed on the next business day.

If the scheduled trial date creates an irreconcilable conflict, counsel must email Grant Cogswell, Courtroom Deputy, at grant\_cogswell@wawd.uscourts.gov within 10 days of the date of this Order, explaining the exact nature of the conflict. Failure to do so will be deemed a waiver. Counsel must be prepared to begin trial on the date scheduled but should understand that trial may have to await the completion of other cases.

## COOPERATION

As required by LCR 37(a), all discovery matters should be resolved by agreement if possible. Counsel are also directed to cooperate in preparing the final pretrial order in the format required by LCR 16.1, except as ordered below.

## EXHIBITS

The parties must deliver one copy of their respective trial exhibits to Grant Cogswell,  
Courtroom Deputy, five (5) days before the trial date. Each exhibit must be clearly marked on  
the face of the exhibit. Each set of exhibits must be submitted in a three-ring binder with  
appropriately numbered tabs. The Court alters the LCR 16.1 procedure for numbering exhibits  
as follows: Plaintiff's exhibits should be numbered consecutively beginning with 1;  
Defendant's exhibits should include the prefix "A" and should be numbered consecutively  
beginning with A-1. Duplicate documents should not be listed twice. Once a party has  
identified an exhibit in the pretrial order, any party may use it.

In addition, no later than seven (7) days before the trial date, the parties should send an electronic copy of all exhibits in .PDF format with Optical Character Recognition (“OCR”)

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1 searchable text to Grant Cogswell, Courtroom Deputy. The parties should notify the court of  
2 any physical objects or files that cannot be transmitted electronically. Exhibits must be  
3 marked as described above, and the following protocols also apply: (1) Electronic exhibits  
4 must be transmitted individually (i.e., one exhibit per file), but exhibits may have multiple  
5 pages; (2) Exhibit file names should match the descriptions listed on the joint exhibit list as  
6 closely as possible except that file names should not exceed 80 characters, e.g., Ex. 1 –  
7 Accident Scene Photo; Ex. A-1 – Email dated 4-03-23.

9 **SETTLEMENT**

10 If this case settles, counsel must notify Grant Cogswell, Courtroom Deputy, as soon as  
11 possible at [grant\\_cogswell@wawd.uscourts.gov](mailto:grant_cogswell@wawd.uscourts.gov). An attorney who fails to give the courtroom  
12 deputy prompt notice of settlement may be subject to sanctions or discipline under LCR  
13 11(b).

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1 PRESENTED BY:

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*Counsel for Plaintiffs*

19 Dated this 5th of February 2024.



20  
21 Jamal N. Whitehead  
22 United States District Judge  
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